

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

IN RE: TESTOSTERONE REPLACEMENT THERAPY PRODUCTS LIABILITY LITIGATION	MDL No. 2545  Master Docket Case No. 1:14-cv-01748  Hon. Judge Matthew F. Kennelly
This document relates to:  MEDICAL MUTUAL OF OHIO,  Plaintiff,  v.  ABBVIE INC., ABBOTT LABORATORIES, ABBOTT PRODUCTS, INC., SOLVAY AMERICA, INC., SOLVAY NORTH AMERICA, LLC, SOLVAY PHARMACEUTICALS, INC., SOLVAY PHARMACEUTICALS SARL, SOLVAY, S.A., AUXILIUM, INC., ELI LILLY AND COMPANY, LILLY USA, INC., ACRUX LIMITED, ACTAVIS PLC, ACTAVIS, INC., ACTAVIS PHARMA, INC., WATSON PHARMACEUTICALS, INC., WATSON LABORATORIES, INC., ANDA, INC., and ENDO PHARMACEUTICALS, INC.,  Defendants.	No. 1:14-cv-08857

**DEFENDANTS' MOTION FOR LEAVE TO FILE REVISED SUPPLEMENTAL  
MEMORANDA IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS  
PLAINTIFF MEDICAL MUTUAL OF OHIO'S SECOND AMENDED COMPLAINT**

The undersigned Defendants respectfully move to for leave to file revised supplemental memoranda in support of Defendants' motion to dismiss Plaintiff's Second Amended Complaint ("SAC"). In support of this Motion, Defendants state as follows:

1. On June 2, 2015, the Court granted MMO leave to file the SAC and further directed that the undersigned Defendants should file their motion to dismiss the SAC and supporting memoranda by July 31, 2015. *See* Doc. 73 (minute entry establishing briefing schedule); *see also* Master Docket Case No. 1:14-cv-01748, Doc. 660 (minute entry respecting page limits for Defendants joint and supplemental memoranda in support of their motion to dismiss).

2. Defendants filed their motion to dismiss the SAC and supporting memoranda, as directed. *See* Doc. 84 (motion to dismiss), 85 (joint memorandum in support of the motion), 86 (attorney declaration), 87-92 (supplemental memoranda).

3. On September 17, 2015, the Court entered a minute order, striking Documents 85 and 86 (Defendants' joint memorandum in support of the motion to dismiss and an attorney declaration in support of the same). The Court directed that the Defendants file a revised version of their joint memorandum in support of the motion to dismiss by September 24, 2015. The Court did not strike Document 84 (the motion to dismiss itself) or Documents 87-92 (the supplemental memoranda submitted by each Defendant group in support of the motion to dismiss). *See* Doc. 108.

4. Today, September 24, 2015, Defendants are filing a revised version of their joint memorandum in support of the motion to dismiss, as directed. *See* Doc. 109.

5. Defendants request leave to file revised versions of their supplemental memoranda, as well. The revised versions of the supplemental memoranda are attached as

exhibits to this motion. *See* Exs. 1 (Lilly Defendants), 2 (AbbVie Defendants), 3 (Actavis Defendants), 4 (Auxilium Pharmaceuticals Inc.), 5 (Endo Pharmaceuticals Inc.), and 6 (GlaxoSmithKline LLC). The revised versions of the supplemental memoranda contain updated citations to the revised joint memorandum and its appendix. No substantive revisions have been made to the memoranda.

6. The filing of revised versions of these supplemental memoranda, with updated citations to the revised joint memorandum and its appendix, will assist the Court in evaluating the motion to dismiss and assist the Plaintiff in responding to the same, and avoid confusion. No party will be unduly prejudiced.

Dated: September 24, 2015

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 24, 2015, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all registered attorneys of record.

*/s/ David E. Stanley* \_\_\_\_\_

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